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ELIMINATION OF RACISM AND RACIAL DISCRIMINATION

Report of the Third Committee

Rapporteur: Mr. Ahmed Yousif MOHAMED (Sudan)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 22 September 1995, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fiftieth session the item entitled "Elimination of racism and racial discrimination" and to allocate it to the Third Committee.

2. The Committee considered the item jointly with item 104, entitled "Right of peoples to self-determination", at its 3rd to 8th, 15th and 18th meetings, on 9 to 12 and 19 October and 2 November 1995. An account of the Committee's discussion of the item is contained in the relevant summary records (A/AC.3/50/SR.3-8 and 18).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Relevant chapter of the report of the Economic and Social Council for 1995 (A/50/3), 1/ chap. V;

(b) Report of the Committee on the Elimination of Racial Discrimination (A/50/18); 2/

1/ To be issued in final form as Official Records of the General Assembly, Fiftieth Session, Supplement No. 3 (A/50/3/Rev.1).

2/ Ibid., Supplement No. 18 (A/50/18).

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(c) Report of the Secretary-General on the financial situation of the Committee on the Elimination of Racial Discrimination (A/50/467);

(d) Report of the Secretary-General on the status of the International Convention on the Suppression and Punishment of the Crime of Apartheid (A/50/468);

(e) Report of the Secretary-General on the implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination (A/50/493);

(f) Note by the Secretary-General transmitting to the General Assembly the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (A/50/476);

(g) Letter dated 8 September 1995 from the Permanent Representative of Ecuador to the United Nations addressed to the Secretary-General, transmitting the Final Declaration of the Ninth Meeting of Heads of State and Government of the Rio Group (A/50/425-S/1995/787);

(h) Letter dated 13 October 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/50/570);

(i) Letter dated 20 October 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/C.3/50/2).

4. At the 3rd meeting, on 9 October 1995, the Under-Secretary-General for Policy Coordination and Sustainable Development addressed the Committee (see A/C.3/50/SR.3).

5. At the same meeting, the Assistant Secretary-General for Human Rights made an introductory statement.

6. At the 5th meeting, on 10 October, the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance made an introductory statement (see A/C.3/50/SR.5).

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.3/50/L.5 and Rev.1

7. At the 15th meeting, on 19 October 1995, the representative of the Philippines, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, as well as Mexico and Turkey, introduced a draft resolution entitled "Measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance" (A/C.3/50/L.5), which read:

"The General Assembly,

"Recalling its resolution 49/147 of 23 December 1994 and Commission on Human Rights resolution 1995/12 of 24 February 1995, 3/

"Bearing in mind the outcome of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, and, in particular, the attention given in the Vienna Declaration and Programme of Action to the elimination of racism, racial discrimination, xenophobia and other forms of intolerance, 4/

"Aware that racism, being one of the exclusionist phenomena plaguing many societies, requires resolute action and cooperation for its eradication,

"Having examined the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, 5/

"Deeply concerned that, despite continued efforts, racism, racial discrimination, xenophobia and related intolerance, as well as acts of racial violence, continue to persist and even grow in magnitude, incessantly adopting new forms,

"Conscious of the fundamental difference between, on the one hand, racism and racial discrimination as governmental policy or resulting from official doctrines of racial superiority or exclusivity and, on the other hand, other manifestations of racism, racial discrimination, xenophobia and related intolerance taking place in segments of many societies and perpetrated by individuals or groups, some of which are directed against migrant workers and members of their families, as well as new tendencies to establish policies based on racial, religious, ethnic, cultural and national superiority or exclusivity,

"Underlining the importance of creating conditions to foster greater harmony and tolerance within societies,

"1. Welcomes the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, in particular its conclusions and recommendations; 5/

3/ Official Records of the Economic and Social Council, 1995, Supplement No. 3 (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

4/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

5/ See A/50/476.

"2. Expresses its full support for the work of the Special Rapporteur and requests him to continue his exchange of views with relevant mechanisms, related United Nations organs and specialized agencies in order to further their effectiveness and mutual cooperation;

"3. Expresses its profound concern at and unequivocal condemnation of all forms of racism and all racist violence, including related acts of random and indiscriminate violence;

"4. Expresses its deep concern at and condemnation of manifestations of racism, racial discrimination, xenophobia and related intolerance against migrant workers and members of their families and other vulnerable groups in many societies;

"5. Calls upon all States, in accordance with the conclusions and recommendations of the Special Rapporteur in his most recent report, to include in their educational curricula and social programmes, at all levels, knowledge, tolerance and respect for foreign cultures, peoples and countries and to inculcate positive values of all cultures;

"6. Supports the efforts of Governments in taking measures aimed at the eradication of all forms of racism, racial discrimination, xenophobia and related intolerance;

"7. Recognizes that legislation to prevent racism and racial discrimination should be implemented administratively and enforced judicially;

"8. Calls upon all Governments and intergovernmental organizations, with the assistance of non-governmental organizations, as appropriate, to supply relevant information to the Special Rapporteur;

"9. Urges all Governments to cooperate fully with the Special Rapporteur, with a view to enabling him to fulfil his mandate, and to consider his recommendations positively;

"10. Requests, once again, the Secretary-General, without further delay, to provide the Special Rapporteur with all the necessary human and financial assistance in carrying out his mandate and enabling him to submit, in a timely manner, a preliminary report to the General Assembly at its fifty-first session on this question."

8. In introducing the draft resolution, the representative of the Philippines orally revised it as follows:

(a) In the fourth preambular paragraph, the words "including its conclusions and recommendations", were added at the end of the paragraph;

(b) In the fifth preambular paragraph, the words "including tendencies to establish policies based on racial, religious, ethnic, cultural and national superiority or exclusivity," were added at the end of the paragraph;

(c) In the sixth preambular paragraph, the phrase "as well as new tendencies to establish policies based on racial, religious, ethnic, cultural and national superiority or exclusivity" was deleted;

(d) In operative paragraph 1, the words "in particular" were replaced with the word "including";

(e) In operative paragraph 5, the words "and to inculcate positive values of all cultures;" were deleted;

(f) In operative paragraph 8, the words "to continue to cooperate with and" were inserted after the words "as appropriate,";

(g) In operative paragraph 10, the words ", without further delay," were replaced by the word "promptly".

9. At its 18th meeting, on 2 November, the Committee had before it a revised draft resolution (A/C.3/50/L.5/Rev.1), submitted by the sponsors of draft resolution A/C.3/50/L.5.

10. At the same meeting, the representative of Algeria orally revised the draft resolution as follows:

(a) In operative paragraph 1, the words "including its conclusions and recommendations;" were deleted;

(b) In operative paragraph 5, the words "Calls upon" were replaced by the word "Encourages";

(c) In the same operative paragraph, the words "as appropriate," were inserted after the words "at all levels";

(d) Operative paragraph 7 was replaced by a new paragraph which read as follows:

"Recognizes that Governments should implement and enforce legislation to prevent acts of racism and racial discrimination;"

(e) In operative paragraph 9, the words "and to consider his recommendations positively" were deleted.

11. At the same meeting, statements were made by the representatives of the Sudan and Paraguay (see A/C.3/50/SR.18).

12. Also at the same meeting, the Committee adopted draft resolution A/C.3/50/L.5/Rev.1, as orally revised (see para. 23, draft resolution I).

13. After the adoption of the revised draft resolution, the representative of the United States of America made a statement (see A/C.3/50/SR.18).

B. Draft resolution A/C.3/50/L.6

14. At the 15th meeting, on 19 October, the representative of Algeria, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, introduced a draft resolution entitled "Third Decade to Combat Racism and Racial Discrimination" (A/C.3/50/L.6).

15. At the 18th meeting, on 2 November, the representative of Algeria orally revised the draft resolution as follows:

(a) A new operative paragraph following paragraph 10 was inserted, which read:

> "11. Requests States to consider the relevant decisions of the Economic and Social Council on the integrated follow-up to previous world conferences and the need to make optimum use of all available mechanisms in the struggle against racism;"

and the subsequent paragraphs were renumbered accordingly;

(b) In the former operative paragraph 11 (now paragraph 12), the word "also" was inserted after the word "Requests";

(c) In the same paragraph, the words ", by the year 1998," were deleted.

16. At the same meeting, the Committee adopted draft resolution A/C.3/50/L.6, as orally revised (see para. 23, draft resolution II).

17. After the adoption of the revised draft resolution, the representatives of the United States of America and Turkey made statements (see A/C.3/50/SR.18).

C. Draft resolution A/C.3/50/L.9

18. At the 15th meeting, on 19 October, the representative of Slovenia, on behalf of Australia, Austria, Bangladesh, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Cyprus, Czech Republic, Denmark, Ecuador, Estonia, Finland, Germany, Hungary, Iceland, Morocco, Namibia, the Netherlands, New Zealand, Nigeria, Norway, Pakistan, Poland, Portugal, Romania, Slovakia, Slovenia, South Africa, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland, introduced a draft resolution entitled "Report of the Committee on the Elimination of Racial Discrimination" (A/C.3/50/L.9).

19. At the 18th meeting, on 2 November, the representative of Slovenia orally revised the draft resolution as follows: in the fourth preambular paragraph, the words "all forms of" were inserted after the words "elimination of".

20. At the same meeting, Côte d'Ivoire, Croatia, Egypt, Georgia, the Niger, Panama, Papua New Guinea, the former Yugoslav Republic of Macedonia and Turkey joined in sponsoring the draft resolution.

21. At the same meeting, the Committee adopted draft resolution A/C.3/50/L.9, as orally revised (see para. 23, draft resolution III).

D. Draft decision

22. At its 18th meeting, on 2 November, on the proposal of the Chairman, the Committee adopted a draft decision, without a vote, by which the General Assembly would take note of the following documents: (a) report of the Secretary-General on the status of the International Convention on the Suppression and Punishment of the Crime of Apartheid (A/50/468); (b) report of the Secretary-General on the implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination (A/50/493); and (c) note by the Secretary-General transmitting to the General Assembly the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (A/50/476) (see para. 24).

III. RECOMMENDATIONS OF THE THIRD COMMITTEE

23. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance

The General Assembly,

Recalling its resolution 49/147 of 23 December 1994 and Commission on Human Rights resolution 1995/12 of 24 February 1995, 6/

Bearing in mind the outcome of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, and, in particular, the attention given in the Vienna Declaration and Programme of Action to the elimination of racism, racial discrimination, xenophobia and other forms of intolerance, 7/

Aware that racism, being one of the exclusionist phenomena plaguing many societies, requires resolute action and cooperation for its eradication,

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6/ Official Records of the Economic and Social Council, 1995, Supplement No. 3 (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

7/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

Having examined the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, including its conclusions and recommendations, 8/

Deeply concerned that, despite continued efforts, racism, racial discrimination, xenophobia and related intolerance, as well as acts of racial violence, continue to persist and even grow in magnitude, incessantly adopting new forms, including tendencies to establish policies based on racial, religious, ethnic, cultural and national superiority or exclusivity,

Conscious of the fundamental difference between, on the one hand, racism and racial discrimination as governmental policy or resulting from official doctrines of racial superiority or exclusivity and, on the other hand, other manifestations of racism, racial discrimination, xenophobia and related intolerance taking place in segments of many societies and perpetrated by individuals or groups, some of which are directed against migrant workers and members of their families,

Underlining the importance of creating conditions to foster greater harmony and tolerance within societies,

1. Welcomes the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance; 8/

2. Expresses its full support for the work of the Special Rapporteur, and requests him to continue his exchange of views with relevant mechanisms, related United Nations organs and specialized agencies in order to further their effectiveness and mutual cooperation;

3. Expresses its profound concern at and unequivocal condemnation of all forms of racism and all racist violence, including related acts of random and indiscriminate violence;

4. Expresses its deep concern at and condemnation of manifestations of racism, racial discrimination, xenophobia and related intolerance against migrant workers and members of their families and other vulnerable groups in many societies;

5. Encourages all States, in accordance with the conclusions and recommendations of the Special Rapporteur in his most recent report, to include in their educational curricula and social programmes, at all levels as appropriate, knowledge, tolerance and respect for foreign cultures, peoples and countries;

6. Supports the efforts of Governments in taking measures aimed at the eradication of all forms of racism, racial discrimination, xenophobia and related intolerance;

8/ See A/50/476.

7. Recognizes that Governments should implement and enforce legislation to prevent acts of racism and racial discrimination;

8. Calls upon all Governments and intergovernmental organizations, with the assistance of non-governmental organizations, as appropriate, to continue to cooperate with and to supply relevant information to the Special Rapporteur;

9. Urges all Governments to cooperate fully with the Special Rapporteur, with a view to enabling him to fulfil his mandate;

10. Requests, once again, the Secretary-General promptly to provide the Special Rapporteur with all the necessary human and financial assistance in carrying out his mandate and enabling him to submit, in a timely manner, a preliminary report to the General Assembly at its fifty-first session on this question.

DRAFT RESOLUTION II

Third Decade to Combat Racism and Racial Discrimination

The General Assembly,

Reaffirming its objectives set forth in the Charter of the United Nations to achieve international cooperation in solving problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Reaffirming also its firm determination and its commitment to eradicate totally and unconditionally racism in all its forms and racial discrimination,

Recalling the Universal Declaration of Human Rights, 9/ the International Convention on the Elimination of All Forms of Racial Discrimination 10/ and the Convention against Discrimination in Education adopted by the United Nations Educational, Scientific and Cultural Organization on 14 December 1960, 11/

Recalling also the outcome of the two World Conferences to Combat Racism and Racial Discrimination, held at Geneva in 1978 and 1983,

Welcoming the outcome of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, and, in particular, the attention given in the

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9/ Resolution 217 A (III).

10/ Resolution 2106 A (XX), annex.

11/ United Nations, Treaty Series, vol. 429, No. 6193.

Vienna Declaration and Programme of Action 12/ to the elimination of racism, racial discrimination, xenophobia and other forms of intolerance,

Stressing the importance of the activities of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,

Recalling its resolution 49/146 of 23 December 1994, the annex to which contains the Revised Programme of Action for the Third Decade to Combat Racism and Racial Discrimination (1993-2003),

Noting with grave concern that, despite the efforts of the international community, the principal objectives of the two Decades for Action to Combat Racism and Racial Discrimination have not been attained and that millions of human beings continue to this day to be the victims of varied forms of racism and racial discrimination,

Deeply concerned about the current trend of the evolution of racism into discriminatory practices based on culture, nationality, religion or language,

Recalling in particular its resolution 48/91 of 20 December 1993, by which it proclaimed the Third Decade to Combat Racism and Racial Discrimination,

Having considered the reports submitted by the Secretary-General 13/ within the framework of the implementation of the Programme of Action for the Third Decade,

Firmly convinced of the need to take more effective and sustained measures at the national and international levels for the elimination of all forms of racism and racial discrimination,

Recognizing the importance of strengthening national legislation and institutions for the promotion of racial harmony,

Deeply concerned about the fact that the phenomenon of racism and racial discrimination against migrant workers continues to increase despite efforts undertaken by the international community to improve the protection of the human rights of migrant workers and members of their families,

Recalling the adoption at its forty-fifth session of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 14/

12/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

13/ E/1995/111 and Add.1 and A/50/493.

14/ Resolution 45/158, annex.

Acknowledging that indigenous people are at times victims of particular forms of racism and racial discrimination,

1. Declares once again that all forms of racism and racial discrimination, whether in their institutionalized form or resulting from official doctrines of racial superiority or exclusivity, such as ethnic cleansing, are among the most serious violations of human rights in the contemporary world and must be combated by all available means;

2. Welcomes the proclamation of the Third Decade to Combat Racism and Racial Discrimination, which began in 1993, and requests the Secretary-General to make a further review of the Programme of Action with a view to making it more effective and action-oriented;

3. Calls upon Governments to cooperate more closely with the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance to enable him to fulfil his mandate;

4. Urges all Governments to take all necessary measures to combat new forms of racism, in particular by adapting constantly the means provided to combat them, especially in the legislative, administrative, educational and information fields;

5. Decides that the international community in general and the United Nations in particular should give the highest priority to programmes for combating racism and racial discrimination and should intensify their efforts, during the Third Decade, to provide assistance and relief to the victims of racism and all forms of racial discrimination;

6. Requests the Secretary-General to continue to accord special attention to the situation of migrant workers and members of their families and to include regularly in his reports all information on such workers;

7. Calls upon all Member States to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families as a matter of priority;

8. Commends all States that have ratified or acceded to the international instruments to combat racism and racial discrimination;

9. Requests the Secretary-General to continue the study on the effects of racial discrimination on the children of minorities, in particular those of migrant workers, in the fields of education, training and employment, and to submit, inter alia, specific recommendations for the implementation of measures to combat the effects of that discrimination;

10. Urges the Secretary-General, United Nations bodies, the specialized agencies, all Governments, intergovernmental organizations and relevant non-governmental organizations, in implementing the Programme of Action for the Third Decade, to pay particular attention to the situation of indigenous people;

11. Requests States to consider the relevant decisions of the Economic and Social Council on the integrated follow-up to previous world conferences and the need to make optimum use of all available mechanisms in the struggle against racism;

12. Requests also the Secretary-General to consult Member States and intergovernmental, as well as non-governmental, organizations on the possibility of holding a world conference to combat racism, racial discrimination, xenophobia and other related contemporary forms of intolerance;

13. Renews its invitation to the United Nations Educational, Scientific and Cultural Organization to expedite the preparation of teaching materials and teaching aids to promote teaching, training and educational activities on human rights and against racism and racial discrimination, with particular emphasis on activities at the primary and secondary levels of education;

14. Considers that all the parts of the Programme of Action for the Third Decade should be given equal attention in order to attain the objectives of the Decade;

15. Regrets that some of the activities scheduled for the Second Decade to Combat Racism and Racial Discrimination have not been implemented for lack of adequate resources;

16. Considers that voluntary contributions to the Trust Fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination are indispensable for the implementation of the Programme;

17. Requests the Secretary-General to ensure that the necessary financial resources are provided for the implementation of the activities of the Third Decade during the biennium 1996-1997;

18. Also requests the Secretary-General to accord the highest priority to the activities of the Programme of Action for the Third Decade;

19. Further requests the Secretary-General to submit each year to the Economic and Social Council a detailed report on all activities of United Nations bodies and the specialized agencies, containing an analysis of information received on such activities to combat racism and racial discrimination;

20. Invites the Secretary-General to submit proposals to the General Assembly with a view to supplementing, if necessary, the Programme of Action for the Third Decade;

21. Invites all Governments, United Nations bodies, the specialized agencies and other intergovernmental organizations, as well as interested non-governmental organizations in consultative status with the Economic and Social Council, to participate fully in the Third Decade;

22. Notes that unless a supplementary financial effort is made very few of the activities planned for the period 1994-1997 will be carried out;

23. Strongly appeals to all Governments, intergovernmental and non-governmental organizations and individuals in a position to do so to contribute generously to the Trust Fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination, and to this end requests the Secretary-General to continue to undertake appropriate contacts and initiatives to encourage contributions;

24. Decides to keep the item entitled "Elimination of racism and racial discrimination" on its agenda and to consider it as a matter of the highest priority at its fifty-first session.

DRAFT RESOLUTION III

Report of the Committee on the Elimination of Racial Discrimination

The General Assembly,

Recalling its previous resolutions concerning the reports of the Committee on the Elimination of Racial Discrimination and its resolutions on the status of the International Convention on the Elimination of All Forms of Racial Discrimination,

Reiterating the importance of the Convention, which is one of the most widely accepted human rights instruments adopted under the auspices of the United Nations,

Aware of the importance of the contributions of the Committee to the efforts of the United Nations to combat racism and all other forms of discrimination based on race, colour, descent or national or ethnic origin,

Reiterating once again the need to intensify the struggle for the elimination of all forms of racism and racial discrimination throughout the world, especially its most brutal forms,

Emphasizing the obligation of all States parties to the Convention to take legislative, judicial and other measures in order to secure full implementation of the provisions of the Convention,

Bearing in mind the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993, 15/ in particular section II.B, relating to equality, dignity and tolerance, and General Assembly resolution 49/208 of 23 December 1994, in particular paragraph 7,

Concerned that the amendment to the Convention regarding the financing of the Committee, as decided upon at the Fourteenth Meeting of States Parties on

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15/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

15 January 1992 and endorsed by the General Assembly in its resolution 47/11 of 16 December 1992, has not yet entered into force,

Welcoming efforts of the Secretary-General to ensure interim financial arrangements for the financing of the expenses incurred by the Committee,

Stressing the importance of enabling the Committee to function smoothly and to have all necessary facilities for the effective performance of its functions under the Convention,

Having considered the report of the Secretary-General on the financial situation of the Committee, 16/

1. Commends the Committee on the Elimination of Racial Discrimination for its work with regard to the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination and the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination 17/ and its contribution to the preparation for the Third Decade to Combat Racism and Racial Discrimination;

2. Encourages the Committee to contribute fully to the implementation of the Third Decade and its revised Programme of Action, 18/ including by the continued collaboration and flow of information between the Committee and the Subcommission on Prevention of Discrimination and Protection of Minorities and the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance; 19/

3. Welcomes the cooperation and exchange of information of the Committee with relevant structures and mechanisms of the United Nations, such as meetings held with the Special Rapporteurs on the situation of human rights in the territory of the former Yugoslavia and on contemporary forms of racism, racial discrimination, xenophobia and related intolerance 20/ and encourages their continuation in the future, including with the United Nations High Commissioner for Human Rights;

4. Encourages the use of innovatory procedures by the Committee for reviewing the implementation of the Convention in States whose reports are overdue and the formulating of concluding observations on reports of States parties to the Convention;

16/ A/50/467.

17/ Resolution 38/14, annex.

18/ Resolution 49/146, annex.

19/ See A/50/18, chap. VIII.

20/ Ibid., chap. I, para. 13.

5. Commends the Committee for its continuous efforts to improve its contribution to the prevention of racial discrimination, including early warning and urgent procedures, and welcomes its relevant decisions and action thereon; 21/

6. Welcomes decision 9 (46) of 17 March 1995 adopted by the Committee, entitled "Contribution of the Committee on the Elimination of Racial Discrimination to the United Nations Decade for Human Rights Education" and general recommendation XIX (47) on article 3 of the Convention; 22/

7. Urges all States that have not yet ratified or acceded to the Convention to do so as soon as possible;

8. Encourages States to limit the extent of any reservation they lodge to the Convention and to formulate any reservation as precisely and as narrowly as possible while ensuring that no reservation is incompatible with the object and purpose of the Convention or otherwise contrary to international law;

9. Expresses its profound concern at the fact that a number of States parties to the Convention have still not fulfilled their financial obligations, as shown in the report of the Secretary-General; 16/

10. Urges States parties to accelerate their domestic ratification procedures with regard to the amendment 23/ to the Convention regarding the financing of the Committee and expeditiously to notify the Secretary-General in writing of their agreement to the amendment, as decided upon at the Fourteenth Meeting of States Parties on 15 January 1992 and endorsed by the General Assembly in its resolution 47/111 of 16 December 1992;

11. Takes note with appreciation of the report of the Committee on the work of its forty-sixth and forty-seventh sessions; 24/

12. Requests the Secretary-General to continue to ensure adequate financial arrangements and appropriate means to enable the functioning of the Committee;

13. Calls upon States parties to fulfil their obligations under article 9, paragraph 1, of the Convention, to submit in due time their periodic reports on measures taken to implement the Convention and to pay their outstanding contributions;

21/ Ibid., chap. II.

22/ Ibid., chap. I, paras. 17 and 18, and annexes III and VII.

23/ A/50/467, annex I.

24/ A/50/18.

14. Strongly appeals to all States parties that are in arrears to fulfil their outstanding financial obligations under article 8, paragraph 6, of the Convention;

15. Requests the Secretary-General to invite those States parties that are in arrears to pay the amounts in arrears, and to report thereon to the General Assembly at its fifty-first session;

16. Decides to consider at its fifty-first session, under the item entitled "Elimination of racism and racial discrimination", the report of the Secretary-General on the financial situation of the Committee and the report of the Committee;

17. Requests the Secretary-General to draw the present resolution to the attention of States parties.

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24. The Third Committee also recommends to the General Assembly the adoption of the following draft decision:

Documents considered by the General Assembly in connection with the question of elimination of racism and racial discrimination

The General Assembly takes note of the following documents:

(a) Report of the Secretary-General on the status of the International Convention on the Suppression and Punishment of the Crime of Apartheid (A/50/468);

(b) Report of the Secretary-General on the implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination (A/50/493);

(c) Note by the Secretary-General transmitting to the General Assembly the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (A/50/476).

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RIGHT OF PEOPLES TO SELF-DETERMINATION

Report of the Third Committee

Rapporteur: Mr. Ahmed Yousif MOHAMED (Sudan)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 22 September 1995, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fiftieth session the item entitled "Right of peoples to self-determination" and to allocate it to the Third Committee.

2. The Third Committee considered the item, jointly with item 103, at its 3rd to 8th, 15th and 18th meetings, from 9 to 12 and on 19 October and 2 November 1995. An account of the Committee's discussion of the item is contained in the relevant summary records (A/C.3/50/SR.3-8, 15 and 18).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General (A/50/485);

(b) Note by the Secretary-General transmitting the report of the Special Rapporteur of the Commission on Human Rights on the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination (A/50/390);

(c) Note by the Secretary-General transmitting three letters addressed to the Special Rapporteur of the Commission on Human Rights on the use of mercenaries (A/50/390/Add.1);

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(d) Note verbale dated 5 September 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Trinidad and Tobago to the United Nations addressed to the Secretary-General, transmitting documents of the inaugural Summit of the Association of Caribbean States, held at Port-of-Spain on 17 and 18 August 1995 (A/50/407);

(e) Letter dated 28 September 1995 from the Permanent Representative of Liechtenstein to the United Nations addressed to the Secretary-General, transmitting a summary report on two international panel conferences organized within the framework of the Liechtenstein Research Programme on Self-Determination (A/50/492);

(f) Letter dated 13 October 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/50/570).

4. At the 3rd meeting, on 9 October, the Under-Secretary-General for Policy Coordination and Sustainable Development addressed the Committee (see A/C.3/50/SR.3).

5. At the same meeting, the Special Rapporteur of the Commission on Human Rights on the use of mercenaries made an introductory statement (see A/C.3/50/SR.3).

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.3/50/L.4 and Rev.1

6. At the 15th meeting, on 19 October, the representative of Nigeria, on behalf of Algeria, Bangladesh, Cuba, Egypt, Guinea, India, Kenya, the Lao People's Democratic Republic, Nigeria, Sierra Leone and Uganda, introduced a draft resolution entitled "Use of mercenaries as a means to violate human rights and to impede the exercise of the right of peoples to self-determination" (A/C.3/50/L.4), which read:

"The General Assembly,

"Recalling its resolution 49/150 of 23 December 1994 on the use of mercenaries as a means to violate human rights and to impede the exercise of the right of peoples to self-determination,

"Recalling also all of its relevant resolutions, in which, inter alia, it condemned any State that permitted or tolerated the recruitment, financing, training, assembly, transit and use of mercenaries with the objective of overthrowing the Governments of States Members of the United Nations, especially those of developing countries, or of fighting against national liberation movements, and recalling also the relevant resolutions of the Security Council, the Economic and Social Council and the Organization of African Unity,

"Reaffirming the purposes and principles enshrined in the Charter of the United Nations concerning the strict observance of the principles of sovereign equality, political independence, territorial integrity of States and self-determination of peoples,

"Alarmed and concerned about the danger that the activities of mercenaries constitute to developing countries, particularly in Africa, where democratically elected Governments have been sacked by mercenaries or through mercenary activities,

"Convinced that it is necessary to develop and maintain international cooperation among States for the prevention, prosecution and punishment of mercenary activities and that it will be beneficial for Members to ratify the International Convention against the Recruitment, Use, Financing and Training of Mercenaries 1/ adopted by the General Assembly in 1989,

"1. Takes note of the report of the Special Rapporteur of the Commission on Human Rights 2/ on the use of mercenaries and mercenary related activities to topple sovereign Governments and to undermine the rights of peoples to self-determination despite General Assembly resolution 49/150;

"2. Reaffirms that the use of mercenaries and their recruitment, financing and training are causes of grave concern to all States and violate the purposes and principles enshrined in the Charter of the United Nations;

"3. Urges all States to take the necessary steps and to exercise the utmost vigilance against the menace posed by the activities of mercenaries and to ensure by necessary legislative measures that their territories and other territories under their control, as well as their nationals, are not used for the recruitment, assembly, financing, training of and transit for mercenaries for the planning of activities designed to destabilize or overthrow the Government of any State or threaten the territorial integrity of sovereign States, and to fight the national liberation movements struggling against colonial domination and foreign intervention or occupation;

"4. Calls upon all States that have not yet done so to consider taking early action to sign or to ratify the International Convention against the Recruitment, Use, Financing and Training of Mercenaries;

"5. Urges all States to cooperate with the Special Rapporteur in the fulfilment of his mandate;

"6. Requests the Centre for Human Rights of the Secretariat, as a matter of priority, to publicize the adverse effects of mercenary

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1/ General Assembly resolution 44/34, annex.

2/ A/50/390 and Add.1.

activities on the right to self-determination and, where necessary, render advisory services to States that are affected by the activities of mercenaries;

"7. Requests the Special Rapporteur to report, with specific recommendations, his findings on the new elements identified in the use of mercenaries to undermine the rights of peoples to self-determination to the General Assembly at its fifty-first session."

7. In introducing the draft resolution, the representative of Nigeria orally revised it as follows:

(a) In the fourth preambular paragraph, the words "mercenary activities" were replaced by the words "mercenary international criminal activities";

(b) A new fifth preambular paragraph was inserted, reading:

"Deeply concerned about the loss of life, the substantial damage to property and the negative effects on the polity and economies of affected countries resulting from mercenary aggression and criminal activities";

(c) The former fifth preambular paragraph was replaced by the following:

"Convinced that it is necessary for Member States to ratify the International Convention against the Recruitment, Use, Financing and Training of Mercenaries, adopted by the General Assembly in 1989, and for Member States to develop and maintain international cooperation among States for the prevention, prosecution and punishment of mercenary activities";

(d) Operative paragraph 3 was revised to read:

"3. Urges all States to take the necessary steps and to exercise the utmost vigilance against the menace posed by the activities of mercenaries and to take necessary legislative measures to ensure that their territories and other territories under their control, as well as their nationals, are not used for the recruitment, assembly, financing, training and transit of mercenaries for the planning of activities designed to destabilize or overthrow the Government of any State or threaten the territorial integrity and political unity of sovereign States, or to promote secession or fight the national liberation movements struggling against colonial or other forms of alien domination or occupation";

(e) In operative paragraph 4, the words "early action" were replaced by the words "necessary action";

(f) In operative paragraph 6, the words "when requested" were inserted before the words "where necessary".

8. At its 18th meeting, on 2 November, the Committee had before it a revised draft resolution (A/C.3/50/L.4/Rev.1), submitted by the sponsors of draft resolution A/C.3/50/L.4, joined by Angola, Cameroon, Ethiopia, Ghana and Rwanda.

9. At the same meeting, the representative of Nigeria orally revised the fourth preambular paragraph of the revised draft resolution as follows:

(a) The words "developing countries" were replaced by the words "peace and security in developing countries";

(b) The words "and in small States" were inserted after the words "in Africa";

(c) The word "sacked" was replaced by the word "overthrown".

10. At the same meeting, the Secretary of the Committee read out the following amendments to the revised draft resolution:

(a) In the fourth preambular paragraph, the words "mercenary activities" were replaced by the words "mercenary international criminal activities";

(b) In operative paragraph 4, the words "early action" were replaced by the words "necessary action".

11. Also at its 18th meeting, the Committee adopted draft resolution A/C.3/50/L.4/Rev.1, as orally revised and amended, by a recorded vote of 98 to 18, with 32 abstentions (see para. 22, draft resolution I). The voting was as follows:

In favour: Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Cape Verde, Chile, China, Colombia, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Republic of Moldova, Samoa, Saudi Arabia, Senegal, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Austria, Belgium, Canada, Denmark, Finland, Germany, Hungary, Iceland, Italy, Japan, Liechtenstein, Luxembourg, Netherlands, Norway, Portugal, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Andorra, Argentina, Armenia, Australia, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, France, Georgia, Greece,

Ireland, Israel, Kazakstan, Latvia, Lithuania, Malta, Marshall Islands, Monaco, New Zealand, Poland, Republic of Korea, Romania, Russian Federation, San Marino, Slovakia, Slovenia, Spain, the former Yugoslav Republic of Macedonia, Turkey, Ukraine.

12. After the adoption of the draft resolution, statements were made by the representatives of Spain (on behalf of the European Union), South Africa, the Republic of Moldova, France, the United States of America, the United Kingdom of Great Britain and Northern Ireland, Ukraine, Nigeria and Japan (see A/C.3/50/SR.18).

B. Draft resolution A/C.3/50/L.7

13. At the 15th meeting, on 19 October, the representative of Pakistan, on behalf of Albania, Azerbaijan, Bosnia and Herzegovina, Brunei Darussalam, Cape Verde, Djibouti, Egypt, Honduras, the Islamic Republic of Iran, Jordan, Kuwait, the Libyan Arab Jamahiriya, Malaysia, Mauritania, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, Sierra Leone, Singapore, Thailand and the United Arab Emirates, introduced a draft resolution entitled "Universal realization of the right of peoples to self-determination" (A/C.3/50/L.7).

14. At its 18th meeting, on 2 November, the Committee adopted draft resolution A/C.3/50/L.7 (see para. 22, draft resolution II).

15. After the adoption of the draft resolution, the representative of India made a statement.

C. Draft resolution A/C.3/50/L.8

16. At the 15th meeting, on 19 October, the representative of Egypt, on behalf of Afghanistan, Algeria, Bangladesh, Brazil, Cuba, Djibouti, Egypt, the Gambia, Guinea, Guinea-Bissau, Indonesia, Jordan, the Lao People's Democratic Republic, Lesotho, Malaysia, Mali, Malta, Mauritania, Morocco, Mozambique, Namibia, Nigeria, Oman, Pakistan, Papua New Guinea, Qatar, Saudi Arabia, Senegal, Sierra Leone, Tunisia, Uganda, the United Arab Emirates, the United Republic of Tanzania, Viet Nam, Yemen, Zambia and Zimbabwe, subsequently joined by Bahrain and Kuwait, introduced a draft resolution entitled "The right of the Palestinian people to self-determination" (A/C.3/50/L.8).

17. In introducing the draft resolution, the representative of Egypt orally revised it as follows:

(a) In the third preambular paragraph, the words "the State of" were deleted before the word "Israel";

(b) In operative paragraph 2, the word "may" was replaced by the word "could".

18. At the 18th meeting, on 2 November, statements were made by the representatives of Israel and Norway (see A/C.3/50/SR.18).

19. At the same meeting, the Committee adopted draft resolution A/C.3/50/L.8, as orally revised, by a recorded vote of 134 to 2, with 14 abstentions (see para. 22, draft resolution III). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Canada, Cape Verde, Chile, China, Colombia, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Gambia, Germany, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Argentina, Cameroon, Fiji, Gabon, Georgia, Latvia, Lithuania, Marshall Islands, Norway, Republic of Moldova, Russian Federation, Rwanda, the former Yugoslav Republic of Macedonia, Uruguay.

20. After the adoption of the draft resolution, statements were made by the representatives of the Russian Federation, Turkey, the Islamic Republic of Iran, Argentina, the United States of America, Japan and the Libyan Arab Jamahiriya (see A/C.3/50/SR.18).

21. The observer for Palestine made a general statement (see A/C.3/50/SR.18).

III. RECOMMENDATIONS OF THE THIRD COMMITTEE

22. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Use of mercenaries as a means to violate human rights and to impede the exercise of the right of peoples to self-determination

The General Assembly,

Recalling its resolution 49/150 of 23 December 1994,

Recalling also all of its relevant resolutions, in which, inter alia, it condemned any State that permitted or tolerated the recruitment, financing, training, assembly, transit and use of mercenaries with the objective of overthrowing the Governments of States Members of the United Nations, especially those of developing countries, or of fighting against national liberation movements, and recalling also the relevant resolutions of the Security Council, the Economic and Social Council and the Organization of African Unity,

Reaffirming the purposes and principles enshrined in the Charter of the United Nations concerning the strict observance of the principles of sovereign equality, political independence, territorial integrity of States and self-determination of peoples,

Alarmed and concerned about the danger that the activities of mercenaries constitute to peace and security in developing countries, particularly in Africa and in small States, where democratically elected Governments have been overthrown by mercenaries or through mercenary international criminal activities,

Deeply concerned about the loss of life, the substantial damage to property and the negative effects on the polity and economies of affected countries resulting from mercenary aggression and criminal activities,

Convinced that it is necessary for Member States to ratify the International Convention against the Recruitment, Use, Financing and Training of Mercenaries, 3/ adopted by the General Assembly in 1989, and to develop and maintain international cooperation among States for the prevention, prosecution and punishment of mercenary activities,

1. Takes note of the report of the Special Rapporteur of the Commission on Human Rights 4/ on the use of mercenaries and mercenary-related activities to topple sovereign Governments and to undermine the rights of peoples to self-determination despite General Assembly resolution 49/150;

2. Reaffirms that the use of mercenaries and their recruitment, financing and training are causes of grave concern to all States and violate the purposes and principles enshrined in the Charter of the United Nations;

3/ General Assembly resolution 44/34, annex.

4/ A/50/390 and Add.1.

3. Urges all States to take the necessary steps and to exercise the utmost vigilance against the menace posed by the activities of mercenaries and to take necessary legislative measures to ensure that their territories and other territories under their control, as well as their nationals, are not used for the recruitment, assembly, financing, training and transit of mercenaries for the planning of activities designed to destabilize or overthrow the Government of any State or threaten the territorial integrity and political unity of sovereign States, or to promote secession or fight the national liberation movements struggling against colonial or other forms of alien domination or occupation;

4. Calls upon all States that have not yet done so to consider taking necessary action to sign or to ratify the International Convention against the Recruitment, Use, Financing and Training of Mercenaries;

5. Urges all States to cooperate with the Special Rapporteur in the fulfilment of his mandate;

6. Requests the Centre for Human Rights of the Secretariat, as a matter of priority, to publicize the adverse effects of mercenary activities on the right to self-determination and, when requested where necessary, to render advisory services to States that are affected by the activities of mercenaries;

7. Requests the Special Rapporteur to report, with specific recommendations, his findings on the new elements identified in the use of mercenaries to undermine the rights of peoples to self-determination to the General Assembly at its fifty-first session.

DRAFT RESOLUTION II

Universal realization of the right of peoples to self-determination

The General Assembly,

Reaffirming the importance, for the effective guarantee and observance of human rights, of the universal realization of the right of peoples to self-determination enshrined in the Charter of the United Nations and embodied in the International Covenants on Human Rights, 5/ as well as in the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Welcoming the progressive exercise of the right to self-determination by peoples under colonial, foreign or alien occupation and their emergence into sovereign statehood and independence,

Deeply concerned at the continuation of acts or threats of foreign military intervention and occupation that are threatening to suppress, or have already

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5/ Resolution 2200 A (XXI), annex.

suppressed, the right to self-determination of an increasing number of sovereign peoples and nations,

Expressing grave concern that, as a consequence of the persistence of such actions, millions of people have been and are being uprooted from their homes as refugees and displaced persons, and emphasizing the urgent need for concerted international action to alleviate their condition,

Recalling the relevant resolutions regarding the violation of the right of peoples to self-determination and other human rights as a result of foreign military intervention, aggression and occupation, adopted by the Commission on Human Rights at its thirty-sixth, 6/ thirty-seventh, 7/ thirty-eighth, 8/ thirty-ninth, 9/ fortieth, 10/ forty-first, 11/ forty-second, 12/ forty-third, 13/ forty-fourth, 14/ forty-fifth, 15/ forty-sixth, 16/

6/ See Official Records of the Economic and Social Council, 1980, Supplement No. 3 and corrigendum (E/1980/13 and Corr.1), chap. XXVI, sect. A.

7/ Ibid., 1981, Supplement No. 5 and corrigendum (E/1981/25 and Corr.1), chap. XXVIII, sect. A.

8/ Ibid., 1982, Supplement No. 2 and corrigendum (E/1982/12 and Corr.1), chap. XXVI, sect. A.

9/ Ibid., 1983, Supplement No. 3 and corrigendum (E/1983/13 and Corr.1), chap. XXVII, sect. A.

10/ Ibid., 1984, Supplement No. 4 and corrigendum (E/1984/14 and Corr.1), chap. II, sect. A.

11/ Ibid., 1985, Supplement No. 2 (E/1985/22), chap. II, sect. A.

12/ Ibid., 1986, Supplement No. 2 (E/1986/22), chap. II, sect. A.

13/ Ibid., 1987, Supplement No. 5 and corrigenda (E/1987/18 and Corr.1 and 2), chap. II, sect. A.

14/ Ibid., 1988, Supplement No. 2 and corrigendum (E/1988/12 and Corr.1), chap. II, sect. A.

15/ Ibid., 1989, Supplement No. 2 (E/1989/20), chap. II, sect. A.

16/ Ibid., 1990, Supplement No. 2 and corrigendum (E/1990/22 and Corr.1), chap. II, sect. A.

forty-seventh, 17/ forty-eighth, 18/ forty-ninth, 19/ fiftieth 20/ and fifty-first sessions, 21/

Reaffirming its resolutions 35/35 B of 14 November 1980, 36/10 of 28 October 1981, 37/42 of 3 December 1982, 38/16 of 22 November 1983, 39/18 of 23 November 1984, 40/24 of 29 November 1985, 41/100 of 4 December 1986, 42/94 of 7 December 1987, 43/105 of 8 December 1988, 44/80 of 8 December 1989, 45/131 of 14 December 1990, 46/88 of 16 December 1991, 47/83 of 16 December 1992, 48/93 of 20 December 1993 and 49/148 of 23 December 1994,

Taking note of the report of the Secretary-General on the right of peoples to self-determination, 22/

1. Reaffirms that the universal realization of the right of all peoples, including those under colonial, foreign and alien domination, to self-determination is a fundamental condition for the effective guarantee and observance of human rights and for the preservation and promotion of such rights;

2. Declares its firm opposition to acts of foreign military intervention, aggression and occupation, since these have resulted in the suppression of the right of peoples to self-determination and other human rights in certain parts of the world;

3. Calls upon those States responsible to cease immediately their military intervention in and occupation of foreign countries and territories and all acts of repression, discrimination, exploitation and maltreatment, particularly the brutal and inhuman methods reportedly employed for the execution of those acts against the peoples concerned;

4. Deplores the plight of the millions of refugees and displaced persons who have been uprooted as a result of the aforementioned acts, and reaffirms their right to return to their homes voluntarily in safety and honour;

5. Requests the Commission on Human Rights to continue to give special attention to the violation of human rights, especially the right to self-

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17/ Ibid., 1991, Supplement No. 2 (E/1991/22), chap. II, sect. A.

18/ Ibid., 1992, Supplement No. 2 (E/1992/22), chap. II, sect. A.

19/ Ibid., 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.

20/ Ibid., 1994, Supplement No. 4 and corrigendum (E/1994/24 and Corr.1), chap. II, sect. A.

21/ Ibid., 1995, Supplement No. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

22/ A/50/485.

determination, resulting from foreign military intervention, aggression or occupation;

6. Requests the Secretary-General to report on this question to the General Assembly at its fifty-first session under the item entitled "Right of peoples to self-determination".

DRAFT RESOLUTION III

The right of the Palestinian people to self-determination

The General Assembly,

Aware that the development of friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples, is among the purposes and principles of the United Nations, as defined in its Charter,

Recalling the International Covenants on Human Rights, 23/ the Universal Declaration of Human Rights, 24/ the Declaration on the Granting of Independence to Colonial Countries and Peoples, 25/ and the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993, 26/

Noting the progress made in the Middle East peace process, in particular the mutual recognition and the signing of the Declaration of Principles on Interim Self-Government Arrangements 27/ on 13 September 1993 in Washington, D.C., by the Palestine Liberation Organization and the Government of Israel, as well as the ensuing implementation agreements, the last of which was the interim agreement of 28 September 1995,

Affirming the right of all States in the region to live in peace within secure and internationally recognized borders,

1. Reaffirms the right of the Palestinian people to self-determination;

2. Expresses the hope that the Palestinian people could soon be exercising their right to self-determination in the current peace process;

23/ Resolution 2200 A (XXI), annex.

24/ Resolution 217 A (III).

25/ Resolution 1514 (XV).

26/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

27/ A/48/486-S/26560, annex.

3. Urges all States, specialized agencies and organizations of the United Nations system to continue to support the Palestinian people in their quest for self-determination.